

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DR. MARCO BITETTO,

Plaintiff,

-v-

1:18-CV-922
(DNH/CFH)

MS. GINNI ROMETTY,

Defendant.

APPEARANCES:

MARCO BITETTO
Plaintiff pro se
4 Fourth Avenue
Rensselaer, NY 12144

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Dr. Marco Bitetto brought this civil action on August 6, 2018. On August 8, 2018, the Honorable Christian F Hummel, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without prejudice but that plaintiff be provided an opportunity to amend his complaint. Plaintiff timely filed two sets of objections to the Report-Recommendation, as well as an amended complaint.

Plaintiff's objections, ECF Nos. 5 and 6, are essentially identical to plaintiff's initial complaint, plus a one sentence general commentary about a case that does not address the issues raised in the complaint, and a comment that plaintiff will continue to file new cases in order to "get what I want." Plaintiff's amended complaint, ECF No. 7 is also essentially

identical to his initial complaint and is the same document as his previous objections, ECF No. 5.

Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

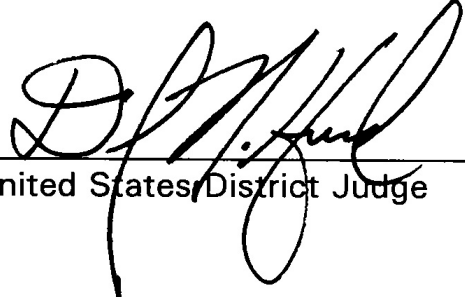
With respect to plaintiff's amended complaint, it does nothing to cure the defects of the original complaint and will therefore be dismissed. Like his complaint, plaintiff's amended complaint utterly fails to meet the standards of Federal Rules of Civil Procedure 8 and 10. Not only does plaintiff's amended complaint fail to set forth the claims or defenses in numbered paragraphs, as is required by the Federal Rules, it simply does not provide enough facts or explanation for this court to understand the basis of his claims. As plaintiff has already been provided an opportunity to amend, he will be permitted no further opportunities. Accordingly, plaintiff's amended complaint will be dismissed.

Therefore, it is

ORDERED that

1. Plaintiff's amended complaint, ECF No. 7, is DISMISSED; and
2. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.


United States District Judge

Dated: February 4, 2019
Utica, New York.